

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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Executive Director

Southern District of New York
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August 3, 2022

Application granted.

BY ECF

Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Prince Wareham
22 Cr. 64 (RMB)

SO ORDERED:

Date: *8/3/22*

Richard M. Berman

Richard M. Berman, U.S.D.J.

Dear Judge Berman,

We write to request that the Federal Defenders of New York be relieved as defense counsel in the above-captioned case, and that CJA Panel Attorney Michael Bradley, Esq. be appointed to represent Mr. Wareham.

Following the Supreme Court's recent decision in United States v. Taylor, 142 S. Ct. 2015 (2022), which held that attempted Hobbs Act robbery is not a § 924(c) "crime of violence," the Second Circuit vacated Judge Keenan's denial of Mr. Wareham's pending petition pursuant to 28 U.S.C. § 2255 on an old criminal case. See 11 Cr. 912 (JFK), 16 Cv. 4700 (JFK). As such, we anticipate that the government and Mr. Wareham will be negotiating a new disposition and sentencing in that matter. We also discovered that Federal Defenders has a conflict on that case because we previously represented a victim in that criminal case. Due to that conflict, Judge Keenan just appointed CJA Attorney Michael Bradley to represent Mr. Wareham. See 16 Cv. 4700 (JFK), Dkt. No. 17.

Given these developments, we believe that Mr. Wareham's interests are best served by having one conflict-free attorney represent him on both of his criminal cases that are now pending in this District. I have spoken to Attorney Bradley, who is prepared to be appointed in the instant matter. I have also spoken to the Government by A.U.S.A. Maggie Lynaugh, who consents to this application.

Respectfully submitted,

/s/

Sylvie Levine
Assistant Federal Defender

cc: A.U.S.A. Maggie Lynaugh
Michael Bradley, Esq. (by email)

